

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

WENDY CARSKADON,)	
individually, and as Administrator)	
of the Estate of AMANDA)	
LYNNETTE FREEMAN,)	
Deceased,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-18-1013-G
)	
ARMOR CORRECTIONAL HEALTH)	
SERVICES, INC., et al.,)	
)	
Defendants.)	

ORDER

Now before the Court are the following motions: (1) Motion to Dismiss by Defendant Armor Correctional Health Services, Inc. (Doc. No. 12); (2) Motion to Dismiss by Defendant Board of County Commissioners of Oklahoma County (Doc. No. 14); and (3) Motion to Dismiss by Defendant John Whetsel (Doc. No. 17). Each of these motions challenges the sufficiency of the original Complaint filed October 12, 2018. On November 26, 2018, Plaintiff timely filed an Amended Complaint (Doc. No. 20).¹

The Amended Complaint supersedes the original Complaint and renders it of no legal effect. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). Accordingly, the pending motions to dismiss (Doc. Nos. 12, 14, and 17) are DENIED as

¹ Under Fed. R. Civ. P. 15(a)(1), a plaintiff may amend as a matter of right within 21 days after service of a Rule 12(b) motion.

moot without prejudice to resubmission, if appropriate, in response to the Amended Complaint.

IT IS SO ORDERED THIS 27th day of November 2018.



CHARLES B. GOODWIN
United States District Judge